

08/11/04



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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/805,907 | 03/22/2004 | Michael I. Rosenfelt | 53086-703USPT |

CONFIRMATION NO. 2039

23932
 JENKENS & GILCHRIST, PC
 1445 ROSS AVENUE
 SUITE 3200
 DALLAS, TX 75202

FORMALITIES LETTER



OC000000012922117

Date Mailed: 06/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/12/2004 MAHME1 00000059 100447 10805907

01 FC:1051 130.00 DA

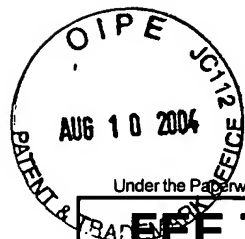
*A copy of this notice **MUST** be returned with the reply.*

He

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (10-03)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

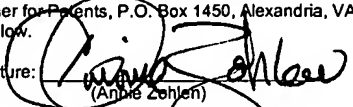
| FEE TRANSMITTAL for FY 2004 | | | | Complete if Known | | | |
|--|--|--|--|--|--|--|--|
| Effective 10/01/2003. Patent fees are subject to annual revision. | | | | Application Number 10/805907 | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | | | Filing Date March 22, 2004 | | | |
| TOTAL AMOUNT OF PAYMENT (\$) | | | | 130.00 | | | |
| Attorney Docket No. | | | | 53086-00703USPT | | | |
| METHOD OF PAYMENT (check all that apply) | | | | FEE CALCULATION (continued) | | | |
| <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None | | | | 3. ADDITIONAL FEES | | | |
| <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 10-0447 Deposit Account Name Jenkens & Gilchrist, a Professional Corporation The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | | Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid | | | |
| 1. BASIC FILING FEE | | | | 1051 130 2051 65 Surcharge - late filing fee or oath 130.00 | | | |
| Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid | | | | 1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet. | | | |
| 1001 770 2001 385 Utility filing fee | | | | 1053 130 1053 130 Non-English specification | | | |
| 1002 340 2002 170 Design filing fee | | | | 1812 2,520 1812 2,520 For filing a request for ex parte reexamination | | | |
| 1003 530 2003 265 Plant filing fee | | | | 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action | | | |
| 1004 770 2004 385 Reissue filing fee | | | | 1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action | | | |
| 1005 160 2005 80 Provisional filing fee | | | | 1251 110 2251 55 Extension for reply within first month | | | |
| SUBTOTAL (1) (\$) 0.00 | | | | 1252 420 2252 210 Extension for reply within second month | | | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | | | 1253 950 2253 475 Extension for reply within third month | | | |
| Total Claims -- = Extra Claims Fee from below Fee Paid | | | | 1254 1,480 2254 740 Extension for reply within fourth month | | | |
| Independent Claims -- = Fee Paid | | | | 1255 2,010 2255 1,005 Extension for reply within fifth month | | | |
| Multiple Dependent -- = Fee Paid | | | | 1401 330 2401 165 Notice of Appeal | | | |
| Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid | | | | 1402 330 2402 165 Filing a brief in support of an appeal | | | |
| 1202 18 2202 9 Claims in excess of 20 | | | | 1403 290 2403 145 Request for oral hearing | | | |
| 1201 86 2201 43 Independent claims in excess of 3 | | | | 1451 1,510 1451 1,510 Petition to institute a public use proceeding | | | |
| 1203 290 2203 145 Multiple dependent claim, if not paid | | | | 1452 110 2452 55 Petition to revive - unavoidable | | | |
| 1204 86 2204 43 ** Reissue independent claims over original patent | | | | 1453 1,330 2453 665 Petition to revive - unintentional | | | |
| 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent | | | | 1501 1,330 2501 665 Utility issue fee (or reissue) | | | |
| SUBTOTAL (2) (\$) 0.00 | | | | 1502 480 2502 240 Design issue fee | | | |
| **or number previously paid, if greater; For Reissues, see above | | | | 1503 640 2503 320 Plant issue fee | | | |
| | | | | 1460 130 1460 130 Petitions to the Commissioner | | | |
| | | | | 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) | | | |
| | | | | 1806 180 1806 180 Submission of Information Disclosure Stmt | | | |
| | | | | 8021 40 8021 40 Recording each patent assignment per property (times number of properties) | | | |
| | | | | 1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a)) | | | |
| | | | | 1810 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) | | | |
| | | | | 1801 770 2801 385 Request for Continued Examination (RCE) | | | |
| | | | | 1802 900 1802 900 Request for expedited examination of a design application | | | |
| | | | | Other fee (specify) | | | |
| | | | | *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 130.00 | | | |

| SUBMITTED BY | | (Complete if applicable) | |
|-------------------|------------------|-----------------------------------|-----------------|
| Name (Print/Type) | William D. Wiese | Registration No. (Attorney/Agent) | 45,217 |
| Signature | | Telephone | (512) 499-3800 |
| | | Date | August 10, 2004 |

| | |
|---|----------------------------|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV395975808US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. | |
| Dated: August 10, 2004 | Signature: (Annie Zohlen) |



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV395975808US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 10, 2004 Signature: 
(Annie Zehren)

Docket No.: 53086-00703USPT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael I. Rosenfelt et al.

Application No.: 10/805907

Group Art Unit: 2681

Filed: March 22, 2004

Examiner: Not Yet Assigned

For: **METHOD AND SYSTEM FOR PROVIDING
BACKUP MESSAGES TO WIRELESS
DEVICES DURING OUTAGES**

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

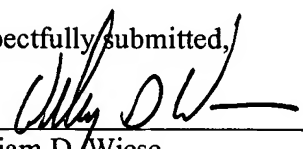
Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 10, 2004, Applicant respectfully submits a Declaration, a Power of Attorney, and Part 2 Copy of Notice.

Please charge our Deposit Account No. 10-0447 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(e). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 10-0447, under Order No. 53086-00703USPT. A duplicate copy of this paper is enclosed.

Dated: August 10, 2004

Respectfully submitted,

By 
William D. Wiese

Registration No.: 45,217
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(512) 499-3843
Attorneys For Applicant